

CHAPTER NO. 51

SENATE BILL NO. 22

By Cohen

Substituted for: House Bill No. 19

By Todd, Hargett

AN ACT To amend Tennessee Code Annotated, Section 40-6-203, relative to the issuance of arrest warrants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-6-203, is amended by designating the language of the existing section as subsection (a) and by adding the following language as a new subsection (b):

(b)(1) The examination of the informant by the magistrate or lawfully authorized court clerk does not have to take place in a face-to-face meeting of the parties but may be conducted through the use of electronic audio-visual equipment which allows the informant and the examining official to both view and hear each other simultaneously.

(2) Prior to the examination, the informant shall prepare an affidavit of complaint in conformance with Rule 3 of the Tennessee Rules of Criminal Procedure and shall electronically transmit a facsimile copy of such affidavit to the examining official. After the receipt of a legible facsimile copy of the affidavit of complaint, the examining official shall proceed with the examination upon taking the oath of the informant. Upon the determination by the examining official that the transmitted facsimile copy is a true copy of the affidavit of complaint of the informant, such copy shall have the same legal effect as the original affidavit of complaint executed by the informant.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 18, 1999



JOHN S. WILDER
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 31st day of March 1999



DON CONQUIST, GOVERNOR